THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.20235 OF 2006

ORAL ORDER:

Heard the learned counsel for the petitioner and the learned counsel appearing for the respondents 1 and 2.

The 2nd respondent herein, by proceedings dated 4.2.2006, issued under Section 7A of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (for short "the Act"), determined the dues payable by the petitioner for the period from January, 2005 to April, 2005. The petitioner states that challenging the same, he preferred an appeal under Section 7I of the Act before the 3rd respondent-appellate Tribunal and the same is numbered as ATA No.345(1)/2006. Though the petitioner sought for interim stay of the impugned order, pending appeal, the same could not be considered, since the Presiding Officer has not yet assumed charge. Hence, this writ petition.

Having heard the learned counsel for the petitioner, the learned counsel appearing for the respondents and having regard to the fact that a statutory appeal is pending on the file of the 3rd respondent, without expressing any opinion on merits, the writ petition is disposed of with a diretion to the respondents 1 and 2, not to take any further steps in furtherance of the order dated 4.2.2006 issued under Section 7A of the Act, subject to the condition that the petitioner deposits half of the amount demanded under the said order, within a period of 4 weeks from the date of receipt of a copy of this order. No costs.

(G. ROHINI, J.)

27th September, 2006.
Issue CC by tomorrow.
Kgr

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.20235 OF 2006

27th September, 2006.

Between:

M/s Sri Saideva Tiffins,
D.No.50-94-14/5, Shanthipuram,
Visakhapatnam, represented by its
Proprietrix – Smt. Shanthi Krishna. .. Petitioner.

And

The Recovery Officer, Employee's Provident Fund
Organisation, Sub Regional Office,
Visakhapatnam and others. .. Respondents.